

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FLOORING ASSOCIATES, INC.,

Plaintiff,

v.

DESIGN MANUFACTURING
INTERNATIONAL, LLC, *the assumed
business name of Design Manufacturing
International, LLC,*

Defendant.

CASE NO. C20-0057-JCC

ORDER

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, Chief United States Magistrate Judge (Dkt. No. 95). Neither party has objected to the R&R. Having thoroughly considered the R&R and the relevant record, the Court hereby ADOPTS the R&R (Dkt. No. 95). The Court STRIKES Plaintiff’s prayer for damages in the form of lost profits/sales and LIMITS the breach of express warranty claim to rugs purchased after the rug sample was provided in February 2017. The Court also *sua sponte* VACATES the May 17, 2021 trial date pursuant to General Order No. 04-21 and REFERS to Judge Creatura Plaintiff’s motions for leave to voluntarily dismiss this lawsuit without prejudice (Dkt. Nos. 98, 102). The Court will, by separate order, schedule a status conference at which the parties may propose a new trial date.

1 The Clerk is DIRECTED to send a copy of this Order to Judge Creatura.

2 DATED this 20th day of April 2021.

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5 A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

6 John C. Coughenour
7 UNITED STATES DISTRICT JUDGE
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